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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>20022/40550                             |
|   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/511240</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP03/50111   | INTERNATIONAL FILING DATE<br>17 April 2003 | PRIORITY DATE CLAIMED<br>17 April 2002                              |
| TITLE OF INVENTION CONTAINER FOR CIGARETTES   |  |   |
| APPLICANT(S) FOR DO/EO/US LUCA PETRUCCI ET AL   |  |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Return receipt postcard

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><div style="font-size: 2em; font-weight: bold; margin-left: 40px;">10/511240</div> | INTERNATIONAL APPLICATION NO.<br>PCT/EP03/50111 | ATTORNEY'S DOCKET NUMBER<br>20022/40550 |
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| 21. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO ..... \$1110.00<br><br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00<br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO<br>but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00<br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00<br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00<br><br><div style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492 (e)). | <b>CALCULATIONS</b> PTO USE ONLY |
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|   |                     |                     |             |                                   |        |
|---|---------------------|---------------------|-------------|-----------------------------------|--------|
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b> |                                   |        |
| Total claims  | 14-20 =             |                     | x           | \$                                |        |
| Independent claims  | 1-3 =               |                     | x           | \$                                |        |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)   |                     |                     |             | +                                 | \$     |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |                     |             | \$                                | 950.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.   |                     |                     |             | \$                                |        |
| <b>SUBTOTAL =</b>   |                     |                     |             | \$                                | 950.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492 (f)).                       |                     |                     |             | \$                                |        |
| <b>TOTAL NATIONAL FEE =</b>   |                     |                     |             | \$                                | 950.00 |
| Fee for recording the enclosed assignment (37, CFR 1.21 (h)). The assignment must<br>be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property |                     |                     |             | +                                 | \$     |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |                     |             | \$                                | 950.00 |
|   |                     |                     |             | <b>Amount to be<br/>refunded:</b> | \$     |
|   |                     |                     |             | <b>Amount to be<br/>charged:</b>  | \$     |

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|----|-------------------------------------|--|--|
| a. | <input checked="" type="checkbox"/> | A check in the amount of \$ <u>950.00</u>  | to cover the above fees is enclosed.   |
| b. | <input type="checkbox"/>            | Please charge my Deposit Account No. _____   | in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. |
| c. | <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2855</u> . A duplicate copy of this sheet is enclosed.                         |  |
| d. | <input type="checkbox"/>            | Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |  |

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

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| SEND ALL CORRESPONDENCE TO:<br><br>James J. Napoli<br>MARSHALL, GERSTEIN & BORUN LLP<br>233 S. Wacker Drive, Suite 6300<br>Sears Tower<br>Chicago, Illinois 60606-6357<br>(312) 474-6300<br><br>CUSTOMER NUMBER: 04743 | <div style="text-align: center;"> <br/>           SIGNATURE:         </div> <div style="text-align: center;"> <u>James J. Napoli</u><br/>           NAME         </div> <div style="text-align: center;"> <u>32,361</u><br/>           REGISTRATION NUMBER         </div> |
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Application No. (if known)

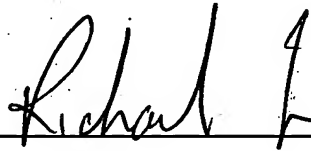
Attorney Docket No.: 20022/40550

**Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV456046684 US in an envelope addressed to:

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Richard Zimmermann

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Transmittal Letter to the United States Designated-Elected Office  
Preliminary Amendment  
Copy of International Publication  
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Check in the amount of \$950.00